

Remarks

Applicant responds to the Office action dated March 25, 2005, as follows.

1. **Objection to drawings**

Accompanying this Amendment and Reply is a replacement drawing sheet, correcting the informality noted by the examiner.

2. **Rejections under Section 103**

Applicant traverses the rejections of all of the pending claims. All of the rejections are premised, at least in part, on the combination of Russell et al. and Baun et al. It is respectfully submitted that the each of the rejections is based on an erroneous reading of Russell et al., and therefore a *prima facie* case of obviousness has not been established.

The claims are generally directed to an apparatus and method that tags frames of data arriving on different ports with a tag that identifies the port, and then multiplexes those frames into a data stream for inserting into a single frame of a synchronous link. Doing so preserves port information, yet permits direct insertion of a multiplexed data stream into a frame of a synchronous network. As explained in the background section of the present application, prior art methods preserved the port information when transporting the data over an optical network by mapping data from different ports onto different frames.

Unlike the presently claimed invention, Russell et al. map a single Ethernet port into a one or more virtual containers having data rates that are chosen to match the data rate of the Ethernet port. At col. 7, lines 16-26, they state:

The Ethernet port card [on the SDH multiplexer] adapts the Ethernet data frames to a rate which matches a rate which can be multiplexed into a virtual container, and maps each Ethernet data frame into one or more SDH virtual containers directly without any further encapsulation in intermediate protocols.

For example, a 10Mbps/s Ethernet channel may be mapped onto 5 VC12 containers, each VC12 container having a rate of 2.047 Mbps/s. The 5 VC12 containers are concatenated together to carry the 10 Mbps/s Ethernet channel.

Russell et al. clearly talk about frames from a single Ethernet port and mapping them to a one or more virtual containers. The mapping obviously preserves the port information. The examiner cites column 7, lines 40-43 for the proposition that:

Application No. 09/922,412
Amendment Dated July 22, 2005
Reply to Office Action dated March 25, 2005

Amendments to the Drawings

Accompanying this amendment is a one (1) drawing replacement sheet that corrects Fig. 3 by replacing "TAGGED HAC FRAME" with "TAGGED MAC FRAME" as required by the examiner.

Russell et al. teaches an SDH or SONET (column 6 lines 48-64) payload mapper 204 for mapping of Ethernet frames into one or more SDH or SONET payloads. (claim 3, 11, 17 – multiplex data from ports into a single SONET synchronous payload envelope)(column 7 lines 40-43).

However, column 7, lines 40-43, state only "... and an SDH payload mapper 204 for mapping Ethernet frames into one or more SDH payloads." As pointed out above, there is no suggestion in this passage of mapping frames from multiple ports into a single data stream for mapping into a frame of a synchronous link.

It is therefore submitted that the rejections of all of the claims are based on an erroneous reading of Russell et al. and, for at least this reason, the rejections are in error.

It is further submitted that modifying Russell et al., as suggested by the examiner, by inserting a unique port identifier in the head of the Ethernet frames and multiplexing the frames into a single stream, contradicts the teachings of Russell et al. of mapping each port to one or more virtual containers. It is submitted that Russell et al. teach away from the claimed invention. Therefore, the combination of Russell et al. and Baum et al. is in error for at least this reason.


Upon reconsideration of the application, the withdrawal of all rejections is respectfully requested for these reasons. The application appears to be in condition for allowance, and such action is respectfully requested.

A 1-Month Extension of Time is attached (in duplicate). Please charge the fee for this extension to Deposit Account No. 13-4900 of Munsch Hardt Kopf & Harr, P.C.

Please charge deposit account no. 13-4900 of Munsch Hardt Kopf & Harr, P.C. any additional fees associated with this paper.

Respectfully submitted,

Date: 22 July 2005
Munsch Hardt Kopf & Harr, P.C.
1445 Ross Avenue, Suite 4000
Dallas, TX 75202
Tel. (214) 855-7571
Customer No. 23559


Marc A. Hubbard
Registration No. 32,506